

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**KENESHA BARNES, ON BEHALF  
OF THE ESTATE OF SHERRIE  
BARNES,**

**PLAINTIFF,**

**VS.**

**CIVIL ACTION NO. 3:03CV60-P-D**

**KOPPERS, INC., F/K/A KOPPERS  
INDUSTRIES, INC.; BEAZER EAST, INC;  
ILLINOIS CENTRAL RAILROAD  
COMPANY,**

**DEFENDANTS.**

**ORDER**

This matter comes before the court upon Defendants' motion in limine to bar untimely expert opinions [908-1]. Upon due consideration of the motion and the response filed thereto, the court finds as follows, to-wit:

In her response, the plaintiff conceded the defendants' motion. On the merits of the motion, the court finds that same should be granted.

**IT IS THEREFORE ORDERED AND ADJUDGED** that:

(1) Defendants' motion in limine to bar untimely expert opinions [908-1] is **GRANTED**; accordingly,

(2) The plaintiff may not admit evidence of the new opinions of Dr. Sawyer regarding Sherrie Barnes offered in the *Hill* case, nor may the plaintiff admit evidence of any other expert opinions based on those new opinions.

**SO ORDERED** this the 11<sup>th</sup> day of April, A.D., 2006.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE